

**CITY OF PROVIDENCE**

**PUBLIC NOTICE**

**ZONING BOARD OF REVIEW**

**190 DYER STREET**

**PROVIDENCE, RHODE ISLAND 02903**

**NOVEMBER 15, 2005**

**Notice is hereby given that the Zoning Board of Review will be in session in the Probate Court Room, fifth floor City Hall, Tuesday, November 29, 2005, at 5:00 p.m. and 6:30 p.m., when all persons interested will be heard for or against the granting of the following applications for variances and special use permits under Section 902 of the Zoning Ordinance:**

**5:00 P.M.**

**FRANCIS OLASANOYE: 419 Prairie Avenue (corner Sayles St.), Lot 665 on the Tax Assessor's Plat 48 located in a Residential R-3 Zone; to be relieved from Section 303-use code 42 pursuant to Section 200 in the proposed subdivision of the existing one-story building into three commercial spaces. The existing convenience store would**

remain and the floor area reduced to 1,907 square feet. Two additional commercial units would be created within the existing building footprint comprising 422-sq. ft. each. One unit would contain a barbershop and the second unit a hairdressing salon. The applicant is requesting a use variance in order to create the two additional commercial uses within this residential R-3 district. The lot in question contains approximately 6,400-sq. ft. of land area.

**POCASSET MANOR ASSOCIATES, OWNER AND SPRINT SPECTRUM, L.P., APPLICANT & LESSEE:** 20 Kelley Street, Lot 299 on the Tax Assessor's Plat 105 located in a Residential R-3 Zone; to be relieved from Sections 303-use code 65.1, 304 and 412.3 in the proposed installation of 3 panel antennas for wireless telecommunications on the façade of the roof structure of existing residential apartment building. The applicant is requesting a use variance for the installation of the telecommunications equipment within this residential R-3 district and a dimensional variance relating to the height restriction, whereby the permitted height within this R-3 district is 30 feet, the existing structure sits at a height of 119.2 feet, and the antennas would be installed at a height of 118.4 feet measured from grade to the peak of the proposed antenna installation. Related equipment would be installed within an extension of the existing penthouse (root top structure). The lot in question contains approximately 27,922-sq. ft. of land area.

**REYNA BERNARD, OWNER & APPLICANT AND MAGALY M. MOREL, LESSEE:** 265 Union Avenue, (corner Priscilla Ave.) Lot 701 on the Tax Assessor's Plat 104 located in a Residential R-3 Zone; to be relieved from Section 303-use code 42 in the proposed change in the use of the first floor from a store to a hair salon. The second and third floor dwelling units will remain unchanged. The applicant is requesting a use variance for the hair salon within this residential R-3 district. The lot in question contains approximately 2,400-sq.ft. of land area.

**MATTHEW & SUSAN DEMPSEY:** 131 Congdon Street, Lot 177 on the Tax Assessor's Plat 10 located in a Residential R-1 Zone and the College Hill Historic District: to be relieved from Sections 304 and 414.4 in the proposed construction of a 20' x 21' addition at the front of the existing single-family dwelling that would support a two-car garage and additional living space above. The additional living space does not require Board action. The applicant is requesting a dimensional variance relating to regulations governing the front yard setback for the garage structure. This proposal seeks a front yard setback of 2 feet. The lot in question contains approximately 3,301-sq. ft. of land area.

**GLEN S. FONTECCHIO & KENNETH B. BYRNE:** 19 Luzon Avenue, Lot 240 on the Tax Assessor's Plat 86 located in a Residential R-1 Zone;

to be relieved from Sections 303-use code 46, 304 and 417 in the proposed alteration of the existing garage located in the rear yard of the subject property. The applicant proposes to alter one bay of the garage that would be utilized for an architect's studio. Further proposed is a 13' x 15' rooftop deck above the garage. No change is proposed for the main structure, a legally existing three-family dwelling. The applicant is requesting a use variance for the studio and relief from regulations governing the side & rear yard setbacks, and provisions restricting the number of main buildings on a lot to one only. The lot in question contains approximately 5,356-sq. ft. of land area.

**ROY AGUIAR & MICHAEL SOUSA:** 130 Hamilton Street, (corner Ontario St.) Lot 187 on the Tax Assessor's Plat 52 located in a Residential R-2 Zone; to be relieved from Sections 202.6, 202.7, 303-use code 13 and 304 in the proposed expansion of the use of the existing structure from a two-family to a three-family dwelling. The applicant is requesting a use variance for the third residential unit in this R-2 two-family district. The lot in question contains approximately 4,500-sq. ft. of land area.

**6:30 P.M.**

**CALART TOWER CONDOMINIUM, INC., OWNER AND OMNIPOINT HOLDINGS, INC., APPLICANT & LESSEE:** 400 Reservoir Avenue, Lot 7 on the Tax Assessor's Plat 126 located in a Commercial C-2 Zone;

to be relieved from Section 305 in the proposed installation of 9 telecommunications panel antennas with related equipment installed on the rooftop of this existing retail-office building. The proposed installation is a permitted use within this commercial C-2 district. The applicant is requesting a dimensional variance relating to the height restriction, whereby the permitted height within this C-2 district is 45 feet, the proposed installation would be concealed in a stealth design octagonal structure constructed at the top of the existing tower, at which the peak height would be 96 feet. The antenna would be installed at a peak height of 93 feet measured from grade to peak of the proposed antenna installation. The lot in question contains approximately 135,672-sq. ft. of land area.

**JOHN & YVONNE GIRAGOSIAN:** 32-34 Pungansett Street, Lot 497 on the Tax Assessor's Plat 70 located in a Residential R-3 Zone; to be relieved from Sections 204.2, 304, 704.2(C) and 415.1(A) in the proposed construction of a 38' x 26' two-family dwelling on lot 497. As per Section 204.2 of the Zoning Ordinance, if two or more contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet in area and are under the same ownership on or anytime after October 24, 1991, such lots shall be considered to be one lot and undivided for the purpose of the Ordinance. Lot 497 is substandard in size and was previously recorded under the same ownership as a contiguous lot. The applicant is requesting a dimensional variance in order to construct the new two-family dwelling and seeks relief from regulations

**governing undersized lots, minimum lot area per dwelling unit, the rear yard paving restriction which is no more than 50 percent pavement (the proposal seeks to pave 100 percent of the rear yard), and canopy coverage (amount of required trees). The lot in question contains approximately 3,893-sq. ft. of land area.**

**CROMWELL STREET REALTY TRUST, OWNER AND SPRINT SPECTRUM, L.P., APPLICANT & LESSEE: 55 Cromwell Street, Lot 411 on the Tax Assessor's Plat 30 located in an Industrial M-1 Zone; to be relieved from Sections 305 and 305.1 in the proposed installation of 3 telecommunications panel antennas attached to the façade of the existing smokestack. The legal use of the property is manufacturing. The antennas are permitted within this industrial M-1 zone. The applicant is requesting a dimensional variance relating to the height restriction, whereby the permitted height within this M-1 district is 75 feet, the existing smokestack sits at a height of 128 feet and the antennas would be installed at a peak height of 100 feet. In this instance, the subject structure is located within 150 feet of a residential zone; therefore, the height of any new installation must not exceed the height restriction of the adjacent residential district, which is 30 feet. The lot in question contains approximately 32,539-sq. ft. of land area.**

**ERNEST PISCOPIELLO: 15 Beetle Street & 14 Sybaris Street, Lot 45**

on the Tax Assessor's Plat 95 located in a Residential R-2 Zone; to be relieved from Sections 105.3 and 304 in the proposed subdivision of lot 45 into 2 lots. One new lot would consist of 3,480 square feet of land area upon which the existing single-family dwelling would remain at 15 Beetle Street and a second lot containing 3,238-sq. ft. of land area would be created at 14 Sybaris Street upon which a new 25' x 40' single-family dwelling would be constructed. The applicant is requesting a dimensional variance and seeks relief from regulations governing lot area conformance, whereby newly created lots must have a minimum lot area of 5,000-sq. ft. Further relief is being sought from the front yard setback requirement, which is 12 feet; the proposed new structure would be set back 10 feet. The lot in question contains approximately 6,718-sq. ft. of land area.

CYNTHIA IZZO: 140 & 144 Dante Street, Lots 28 & 48 on the Tax Assessor's Plat 119 located in a Residential R-2 Zone; to be relieved from Sections 204.2 and 304 in the proposed construction of a 22' x 36' single-family dwelling on lot 48 (140 Dante St.). The existing two-family dwelling on lot 28 (144 Dante St.) will remain unchanged. Each lot contains approximately 3,600 square feet of land area. As

**per Section 204.2 of the Zoning Ordinance, if two or more contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet and are under the same ownership on or anytime after October 24, 1991, such lots shall be considered one lot and undivided for the purpose of the Ordinance. In this instance, both lots are substandard in size and are recorded under the same ownership. The applicant is requesting a dimensional variance in order to retain the lots separately and construct a single-family dwelling on lot 48, which also requires relief from regulations governing side yards.**

**DAVID M. & SALLY J. RYAN (Lot 415) & ELMWOOD REALTY CO. (Lot 695), OWNERS AND THE ELMWOOD HEALTH CENTER, APPLICANT: 225 Elmwood Avenue & 12 Bellevue Avenue, Lots 415 & 695 on the Tax Assessor's Plat 44, Lot 415 being located in a Commercial C-2 Zone and the Commercial Corridor Overlay District and Lot 695 being located in a Residential R-3 Zone; to be relieved from Sections 303-use code 15.3 and 701 in the proposed placement of a generator between lots 415 & 695 and to develop lot 695 as accessory parking for the existing nursing home. The applicant is requesting a use variance for the generator and a special use permit for the parking lot in the R-3 zone. Lot 415 contains approximately 16,100 square feet of land area and lot 695 contains approximately 3,365-sq. ft. of land area.**

**THIS MEETING MAY BE CONTINUED FROM DAY TO DAY AND TIME TO TIME AT THE DISCRETION OF THE ZONING BOARD OF REVIEW.**



**THIS MEETING IS ACCESSIBLE TO ALL PERSONS. INDIVIDUALS REQUESTING INTERPRETER SERVICES MUST NOTIFY THE OFFICE OF NEIGHBORHOOD SERVICES AT (401) 421-7768, 48 HOURS IN ADVANCE OF THE HEARING DATE.**

**ESTA REUNION PUEDE SER CONTINUADA EN CUALQUIER MOMENTO BAJO LA DISCRECTION DE LA JUNTA DE REVISIONES DE ZONA.**

**LA INFORMACION DE ESTA REUNION ESTA DISPONIBLE PARA TODAS LAS PERSONAS E INDIVIDUOS QUE REQUIERAN SERVICIOS DE INTERPRETE, LLAME A LA OFICINA DE SERVICIOS VECINDALES AL (401) 421-7768, POR LO MEMOS 48 HORAS ANTES DE SU FECHA DE JUICIO.**

**PETER D. CARNEVALE, SECRETARY  
(401) 421-7740 EXT. 376**